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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the Third Committee (A/54/605/Add.3)*]

54/183. Situation of human rights in Kosovo

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other human rights instruments,

Bearing in mind Security Council resolutions 1160 (1998) of 31 March 1998, 1199 (1998) of 23 September 1998, 1203 (1998) of 24 October 1998, 1239 (1999) of 14 May 1999 and 1244 (1999) of 10 June 1999, and the general principles annexed to that resolution, as well as the statement made on 24 March 1998 by the Chairman of the Commission on Human Rights at the fifty-fourth session of the Commission,[3] Commission on Human Rights resolutions 1998/79 of 22 April 1998[4] and 1999/2 of 13 April 1999[5] and the report of the United Nations High Commissioner for Human Rights to the Bureau of the Commission on the situation of human rights in Kosovo of 7 September 1999,

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. III, sect. E, para. 28.

[4] Ibid., chap. II, sect. A.

[5] Ibid., *1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

Recalling, against the background of years of repression, intolerance and violence in Kosovo, the challenge to build a multi-ethnic society on the basis of substantial autonomy, respecting the sovereignty and territorial integrity of the Federal Republic of Yugoslavia (Serbia and Montenegro), pending final settlement in accordance with Security Council resolution 1244 (1999),

Taking fully into account the regional dimensions of the crisis in Kosovo, in particular with regard to the human rights and humanitarian situation and the continuing problems in that regard, and noting that the return of refugees to their homes has contributed to the easing of this crisis,

Taking note with concern of the report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro),[6] which describes the persistent and grave violations and abuses of human rights and international humanitarian law in Kosovo,

Condemning the grave violations of human rights in Kosovo that affected ethnic Albanians prior to the arrival of personnel of the United Nations Interim Administration Mission in Kosovo and troops of the international security presence, the Kosovo Force, as demonstrated in the many reports of torture, indiscriminate and widespread shelling, mass forced displacement of civilians, summary executions and illegal detention of ethnic Albanians in Kosovo by the Yugoslav police and military,

Deeply concerned, in spite of the efforts of the Mission and the Force, about the frequent instances of harassment, periodic kidnapping and murder of ethnic Serb, Roma and other minorities of Kosovo by ethnic Albanian extremists,

Expressing concern that the entire population of Kosovo has been affected by the conflict, and stressing that all of the national minorities there must benefit from their full and equal rights,

Stressing, in this context, the importance of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,

Distressed by the lack of due process in the trials in Serbia of the ethnic Albanians who have been detained, charged or brought to trial in relation to the crisis in Kosovo in violation of international human rights standards,

Stressing the urgent need to implement effective measures to stop trafficking in women and children,

1. *Underlines* the obligation of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to abide by the terms of Security Council resolution 1244 (1999) and the general principles on the political solution to the Kosovo crisis adopted on 6 May 1999 and annexed to that resolution;

2. *Reaffirms* that the human rights and humanitarian crisis in Kosovo shall be addressed within the framework of a political solution based upon the general principles annexed to Security Council resolution 1244 (1999);

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[6] A/54/396–S/1999/1000 and Add.1.

3. *Welcomes* the establishment of the United Nations Interim Administration Mission in Kosovo and the Kosovo Force, and calls upon all parties in Kosovo and the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to cooperate fully with the Mission and the Force in the fulfilment of their respective mandates;

4. *Also welcomes* the work of the Office of the United Nations High Commissioner for Human Rights in Kosovo and the Office of the United Nations High Commissioner for Refugees and the efforts of the Organization for Security and Cooperation in Europe;

5. *Calls upon* all parties in Kosovo to cooperate with the Mission in ensuring full respect for all human rights and fundamental freedoms and democratic norms in Kosovo;

6. *Calls upon* all authorities in the Federal Republic of Yugoslavia (Serbia and Montenegro), the local Serb leaders in Kosovo and the leaders of the Albanian community in Kosovo to condemn all acts of terrorism, sequestration or kidnapping and forced eviction from homes or places of work of any resident of Kosovo, whatever the ethnic background of the victim and whoever the perpetrators, to refrain from all acts of violence and to use their influence and leadership to cooperate with the Force and the Mission in stopping these incidents and in bringing the perpetrators to justice;

7. *Expresses its concern* about the forced division of any part of Kosovo into ethnic cantons or ethnically based divisions of any type, which is counter to Security Council resolution 1244 (1999) and to the guiding principles of Rambouillet,[7] and stresses the need for all parties in Kosovo to take all necessary measures to stop or reverse any action that de facto or *de jure* permits such ethnic cantonization;

8. *Calls upon* all parties, in particular the authorities and representatives of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Kosovar Serb and Albanian leaderships, to cooperate with the Mine Action Coordination Centre;

9. *Demands* that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) provide an updated list of all persons detained and transferred from Kosovo to other parts of the Federal Republic of Yugoslavia (Serbia and Montenegro), specifying the charge, if any, under which each individual is detained, and that it guarantee their families and non-governmental organizations and international observers unimpeded and regular access to those who remain in detention and release all individuals detained and transferred from Kosovo prior to July 1999 in violation of international humanitarian and human rights standards;

10. *Calls upon* the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to open to public observation trials or criminal prosecutions against all those charged in relation to the conflict in Kosovo;

11. *Calls upon* the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) and ethnic Kosovar Serb and Albanian representatives to allow for and to facilitate the free and unhindered return to their homes, in safety and with dignity, of all displaced persons and refugees, of whichever ethnic background, and expresses its concern about reports of continuing harassment or other impediments in this regard;

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[7] See S/1999/648, annex.

12. *Calls upon* the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to return or to facilitate the fair, unbiased and accurate restoration or reconstruction of Kosovar documentation and legal records taken or destroyed during the conflict;

13. *Stresses* the importance of and the responsibility of all parties to create a secure environment in Kosovo that will allow refugees and displaced persons to return and allow all those who wish to remain in Kosovo a genuine possibility to do so, irrespective of their ethnic origin;

14. *Requests* the Secretary-General to pursue his humanitarian efforts in Kosovo through the Office of the United Nations High Commissioner for Refugees, the World Food Programme, the United Nations Children's Fund, other appropriate humanitarian organizations and the Office of the United Nations High Commissioner for Human Rights and to continue to take the urgent practical steps to meet the critical needs of the people in Kosovo and to assist in the voluntary return of displaced persons to their homes in conditions of safety and dignity;

15. *Encourages* the Office of the Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 to continue investigations at all levels concerning official individuals or private citizens with regard to serious violations of international humanitarian law committed in Kosovo, and reaffirms that the investigation of such crimes falls within the jurisdiction of the Office;

16. *Demands* that the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Kosovar Serb and Albanian leaderships and all others concerned cooperate fully with the International Tribunal for the Former Yugoslavia and honour all obligations towards it;

17. *Reiterates its call upon* the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to live up to their commitment to provide financial and material assistance to those residents of Kosovo whose homes have been damaged;

18. *Calls upon* the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to provide information on the fate and the whereabouts of the high number of missing persons from Kosovo, and encourages the International Committee of the Red Cross to pursue its clarification efforts in this regard, in cooperation with other organizations such as the Organization for Security and Cooperation in Europe;

19. *Encourages* the ongoing cooperation provided by the Federal Republic of Yugoslavia (Serbia and Montenegro) regarding the visits to some two thousand prisoners, mainly of Kosovar Albanian origin, carried out by the International Committee of the Red Cross and held under the authority of the Ministry of Justice of Serbia;

20. *Welcomes* the efforts made by the international community, and calls for continuing support for the Office of the United Nations High Commissioner for Refugees and other agencies engaged in the effort to provide those in need in Kosovo with proper accommodation, in particular with a view to facilitating the preparation and provision of adequate winter accommodation;

21. *Urges* all parties involved in Kosovo to support the efforts of the United Nations Children's Fund to ensure that all children in Kosovo return to school as soon as possible and to contribute to the rebuilding and repair of schools destroyed or damaged during the conflict in Kosovo;

22. *Calls* for the most rapid and full deployment of United Nations police and for the creation of a multi-ethnic local police force throughout Kosovo, as a key step towards guaranteeing respect for law and order and for creating a safe environment for all inhabitants of Kosovo;

23. *Condemns* any effort, on behalf of any ethnic group, to create any sort of parallel institutions for Kosovar Serb and Albanian populations, be they police, school, administrative or other institutions, and calls upon the Mission and the Force to prevent any such institutions from being formed;

24. *Requests* the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) to continue to monitor closely the situation of human rights in Kosovo, to pay special attention to Kosovo in his reporting and to report his findings to the Commission on Human Rights at its fifty-sixth session and to the General Assembly at its fifty-fifth session.

83rd plenary meeting
17 December 1999